

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LABMD, INC.,)	
)	
Plaintiff,)	
v.)	Case 1:14-cv-00810-WSD
)	
FEDERAL TRADE COMMISSION,)	
)	
Defendant)	
_____)	

**DEFENDANT FTC'S DESIGNATION
OF WITNESSES AND EXHIBITS
FOR THE MAY 7, 2014 HEARING**

In accordance with the Court's April 9, 2014 Amended Scheduling Order, the defendant, the FTC, submits that it does not intend to call any witnesses at the hearing on the Motion for Preliminary Injunction on May 7, 2014.

Further, the defendant does not intend to introduce any exhibits at the hearing. However, the defendant may introduce a copy of Mr. Daugherty's deposition transcript (taken on February 10, 2014, in response to the FTC's Civil Investigative Demand) on cross-examination.

Dated: May 2, 2014

Of counsel:

JONATHAN E. NUECHTERLEIN
General Counsel

JOHN F. DALY
Deputy General Counsel for Litigation

JOEL MARCUS-KURN
Attorney
Office of General Counsel
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, DC 20580

Respectfully submitted,

STUART F. DELERY
Assistant Attorney General

MAAME EWUSI-MENSAH
FRIMPONG
Deputy Assistant Attorney General

MICHAEL S. BLUME
Director

/s/ Lauren E. Fascett
LAUREN E. FASCETT
PERHAM GORJI
Trial Attorneys
U.S. Department of Justice
Civil Division
Consumer Protection Branch
450 5th Street, N.W.
Washington, D.C. 20530
Tel: 202-616-3466
Lauren.Fascett@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2014, I caused a true and correct copy of the foregoing via CM/ECF on:

Ronald L. Raider
Burleigh L. Singleton
William D. Meyer
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, NE, Suite 2800
Atlanta, Georgia 30309

Michael D. Pepson
CAUSE OF ACTION
1919 Pennsylvania Ave., NW, Suite 650
Washington, D.C. 20006

Reed D. Rubinstein
DINSMORE & SHOHL, L.L.P.
801 Pennsylvania Ave., NW, Suite 610
Washington, D.C. 20004

/s/ Lauren E. Fascett
LAUREN E. FASCETT
PERHAM GORJI
Trial Attorneys
U.S. Department of Justice
Civil Division
Consumer Protection Branch
450 5th Street, N.W.
Washington, D.C. 20530
Tel: 202-616-3466
Lauren.Fascett@usdoj.gov